

JOHN R. GRELE  
State Bar No. 167080  
1 Blackfield Dr., #158  
Tiburon, CA 94920  
(415) 348-9300 (telephone)  
(415) 348-0364 (fax)

**LYNNE COFFIN**  
State Bar No. 121389  
38 Miller Ave., #328  
Mill Valley, CA 94941  
(415) 383-2432

Attorneys for Petitioner  
RICHARD DEAN CLARK

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RICHARD DEAN CLARK,  
Petitioner,

VS.

KEVIN CHAPPELL, Warden of California  
State Prison at San Quentin,  
California,

Respondent

) No. C-97-20618-WHA

## STIPULATION AND REQUEST FOR ORDER RE EXTENSION OF TIME TO FILE REPLY BRIEFING

## DEATH PENALTY CASE

Counsel for Plaintiff and Defendant, having conferred, it is hereby STIPULATED that:

WHEREAS Plaintiff's reply to opposition to motion for evidentiary hearing was due April 10, 2013;

WHEREAS counsel for Plaintiff had been engaged in litigation in the District of Nevada concerning a large RICO case with an April 8, 2013 trial date, and then had to prepare a writ of mandamus challenging the decision to remove counsel, briefing on jurisdictional issues that was ordered by the Circuit to be filed April 10, 2013, and an application for a stay that was filed on April 22, 2013;

1 WHEREAS counsel for Plaintiff has been occupied with another death row inmate's case  
2 involving questions of the inmate's competency, including his competency to refuse food and water  
3 such that he was near death;

4 WHEREAS counsel for Plaintiff moved his office on March 1, 2013 and counsel is still trying  
5 to organize his new office and has had limited access to Mr. Clark's files;

6 WHEREAS counsel was occupied this past two weeks with efforts to settle a Los Angeles  
7 County civil case with a May 29, 2013 trial date, and to prepare for that trial;

8 WHEREAS counsel has made significant progress on the briefing;

9 WHEREAS, and for the above reasons, Plaintiff is requesting to and including May 6, 2013 to  
10 file his Reply, and Respondent has no objection.

11 IT IS SO STIPULATED

12 Dated: May 3, 2013

Respectfully submitted,

13  
14 JOHN R GRELE  
15 LYNNE S. COFFIN  
16 Attorneys for Petitioner  
17 RICHARD DEAN CLARK

18 By: \_\_\_\_\_/s/\_\_\_\_\_  
19 John R Grele

20 Dated: May 3, 2013

ALICE LUSTRE  
Attorney for Respondent

21 By: \_\_\_\_\_/s/\_\_\_\_\_  
22 Alice Lustre

23 Pursuant to stipulation, IT IS SO ORDERED.

24 Dated: May 6, 2013

